

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DARLENE SALMELA,

CIVIL NO. 09-2309 (JNE/JSM)

Plaintiff,

v.

ORDER

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated February 11, 2011. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's Motion for Summary Judgment [Docket No. 11] is **GRANTED in part and DENIED in part**;
2. Defendant's Motion for Summary Judgment [Docket No. 22] is **DENIED**;
and
3. The case is remanded to the Commissioner for further proceedings consistent with the February 11, 2011 Report and Recommendation [Docket No. 26].

Dated: 3-1-2011

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge